Print Form

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: _____

From: (Public Agency): Lahontan Regional Water Quality Control Board

15095 Amargosa Road, Bldg 2, Ste 210, Victorville, CA 92394

(Address)

Project Title: Brightline West High-Speed Rail Project

Project Applicant: DesertXpress Enterprises, LLC dba Brightline West

Project Location - Specific:

Barstow lat/long 34.8962, -116.9945; Baker lat/long 35.1002, -116.2709

Project Location - City: Barstow Project Location - County: San Bernardino

Description of Nature, Purpose and Beneficiaries of Project:

The purpose of the Project is to construct a high-speed rail from Apple Valley to Las Vegas, Nevada. In California, the track alignment will be entirely within the center median right-of-way of Interstate 15. This WQC authorizes permanent and temporary impacts to waters of the United States where the rail alignment crosses the Mojave River at two locations, one location in Barstow (Mojave River) and one location west of Baker (Mojave River Overflow).

Name of Public Agency Approving Project: Lahontan Regional Water Quality Control Board

Name of Person or Agency Carrying Out Project: DesertXpress Enterprises, LLC dba Brighline West

Exempt Status: **(check one):**

- ☒ Nonapplication (Sec. 21080(b)(10)
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number: _____
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The Water Board finds that the Project is exempt from the California Environmental Quality Act (CEQA), pursuant to Public Resources Code, Division 13, Section 21080(b)(10), which provides that CEQA does not apply to "[a] project for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use, including modernization of existing stations and parking facilities."

Lead Agency Contact Person: Tiffany Steinert Area Code/Telephone/Extension: 760/241-6583

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____ Date: 03/09/2021 Title: Executive Officer

▪ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____